

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

LARUS BARNASON and JANICE
BARNASON,

Plaintiffs,

4:03CV3166

V.

GARVEY ELEVATORS,

MEMORANDUM AND ORDER

Defendant.

RAYMOND SCHUTTE, et al.,

Plaintiffs,

4:04CV3009

V.

GARVEY ELEVATORS,

Defendant.

DAVID JOHNSON, et al.,

Plaintiffs,

V.

4:04CV3010

GARVEY ELEVATORS,

Defendant.

JOHN J. URICH,

Plaintiff,

4:04CV3011

V.

GARVEY ELEVATORS,

Defendant.

A conference was held with counsel in this matter on this date, pursuant to Fed. R. Civ. P. 16, to establish a trial date and address other concerns. At counsel's request, the undersigned will contact former Magistrate Judge Kathleen A. Jaudzemis regarding possibly presiding at a mediation/settlement conference during the week of October 3, 2005. In accordance with the discussion during the conference,

IT IS ORDERED:

1. Jury trial of these cases is set to commence on October 24, 2005 at 9:00 a.m., for a duration of five trial days before the Honorable Richard G. Kopf in Courtroom 1, United States Courthouse and Federal Building, 100 Centennial Mall North, Lincoln, Nebraska. This case is set as the **FIRST CIVIL trial** scheduled for trial that week; it remains subject to the prior continuance or disposition of any criminal trials set that week. Jury selection will be held at commencement of trial.

2. In the event the trial of this case does not commence during the week of October 24, this trial will remain as the **FIRST CIVIL trial** on call for the week of October 31, 2005.

3. Plaintiffs are given until September 30, 2005 to file their statements of special damages claimed.

4. Counsel shall immediately confer with their clients concerning mediation and settlement, and shall confer with one another about hiring a mediator and scheduling a mediation, hopefully during the first week of October. Counsel shall report to the undersigned by letter on or before September 1, 2005 on the progress of their efforts and the current status of their negotiations for settlement.

BY THE COURT:

s/ *David L. Piester*

David L. Piester
United States Magistrate Judge